

Serial No. : 10/604,561
Applicants : Gerald L. Dykstra et al.
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REMARKS

The amendments and remarks presented herein are believed to be fully responsive to the recent Office Action. Enclosed herewith is a petition and fee for a one-month extension of time in order to extend the Response due date to January 9, 2006. Accordingly, reconsideration is requested.

Drawings.

New drawings are being submitted because the drawings are not deemed formal. Enclosed herewith are formal drawings, which are intended to replace the drawings submitted with the application. Furthermore, item 3 under "Specification" of the Office Action observed that "diamond wire 110" utilizes a part number already in use. Accordingly, figure 15 is amended to change the number "110" to "111". Enclosed are replacement sheets as well as an annotated sheet showing changes. No new matter is added. Acceptance of the drawings is earnestly requested.

Specification.

The disclosure is objected to because "diamond wire 110" uses a part number already in use. Paragraph [0031] is amended to change the part number to "111".

Also, the specification is amended to include the serial number of the provisional patent application in the "Cross Reference to Related Applications." No new matter is added.

Claim Objections.

Claim 21 was objected to because the term "claim" is misspelled. This typographical error is corrected herein.

Disposition of Claims.

Claims 1-25 are pending in the application.

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Claim Rejection – 35 U.S.C. § 102.

Claims 1, 2, 5-11, 16, 18, 20, 21 and 24 were rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent 4,435,892 issued to Williams (Williams). Because Williams does not disclose every element of the rejected claims, it is submitted that the Office Action does not make out a case for anticipation. Accordingly, the rejection is traversed. In order to expedite prosecution, claim 1 is amended as follows:

1. A method of at least partially disassembling a pallet, the pallet having a plurality of deck board support interfaces, said deck board support interfaces arranged in rows and columns with at least three deck board support interfaces in each row and each column.
said method comprising:
providing at least one cutting device that is positionable at any one of the deck board support interfaces;
selectively positioning said at least one cutting device adjacent a particular deck board support interface of the pallet; and
cutting fasteners at the particular deck board support interface with said at least one cutting device without the necessity of cutting fasteners at other deck board support interfaces in the row and the column in which the particular deck board support interface is located.

Williams is representative of the state of the art as discussed in the "Background of the Invention" of the present application. In particular, as with other known devices, Williams is capable of cutting the nails in sequence, typically along an entire length of a stringer. Please refer to column 9, lines 27-40, for a discussion of the operation of the embodiment in Figs. 1-9 of Williams, column 11, lines 5 and 6, for a discussion of the operation of the embodiment in Figs. 10-12 and column 13, lines 9-21, for a discussion of the embodiment in Figs. 13a-15. In all

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cases, the prior art including Williams fails to disclose, teach or suggest the cutting of fasteners at a particular deck board interface without the necessity of cutting fasteners at other deck board support interfaces in the row and column in which the particular deck board support interface is located. As disclosed in the present application, this provides the ability to individually remove any selected board in the pallet. Accordingly, withdrawal of the rejection of claims 1-4 is requested.

Claim 5 is amended as follows:

5. A pallet dismantler for disassembling a pallet having a plurality of deck board support interfaces, said dismantler comprising:

at least one shearing assembly comprising a pair of arms, and a pair of shearing blades, each mounted at an end portion of one of said arms, wherein each of said pair of arms is pivotally mounted at a pivot, said shearing assembly is adapted to selectively position said shearing blades at substantially any one of the deck board support interfaces of a pallet including straddling any other deck board support interface between the one of the deck board support interfaces and said pivot; and

said at least one shearing assembly including an actuator operating on said pair of arms to selectively move said shearing blades toward each other with a force sufficient to shear fasteners at a deck board support interface of a pallet.

Amended claim 5 specifies at least one shearing assembly comprising a pair of arms and a pair of shearing blades, each mounted at an end portion of one of the arms. Each of the pairs of arms is pivotally mounted at a pivot. The shearing assembly is adapted to selectively position the shearing blades at substantially any one of the deck support interfaces, including straddling other

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deck board support interfaces between the one of the deck support interface and the pivot. This allows the shearing blades to be positioned at any one of the deck support interfaces without the necessity of first cutting the nails at all of the deck support interfaces in the row along the stringer leading up to the desired deck board support interface. It is submitted that Williams fails to disclose, teach or suggest the invention as specified in claim 5. Accordingly, withdrawal of the rejection of claims 5-15 is requested.

Claim 16 has been amended as follows:

16. A pallet dismantler for disassembling a pallet having a plurality of deck board support interfaces, said dismantler comprising:

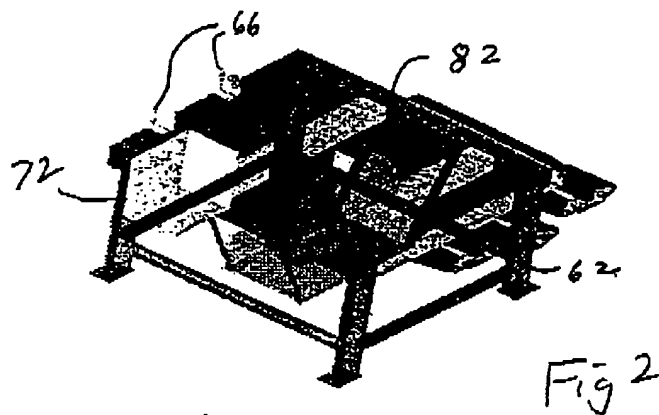
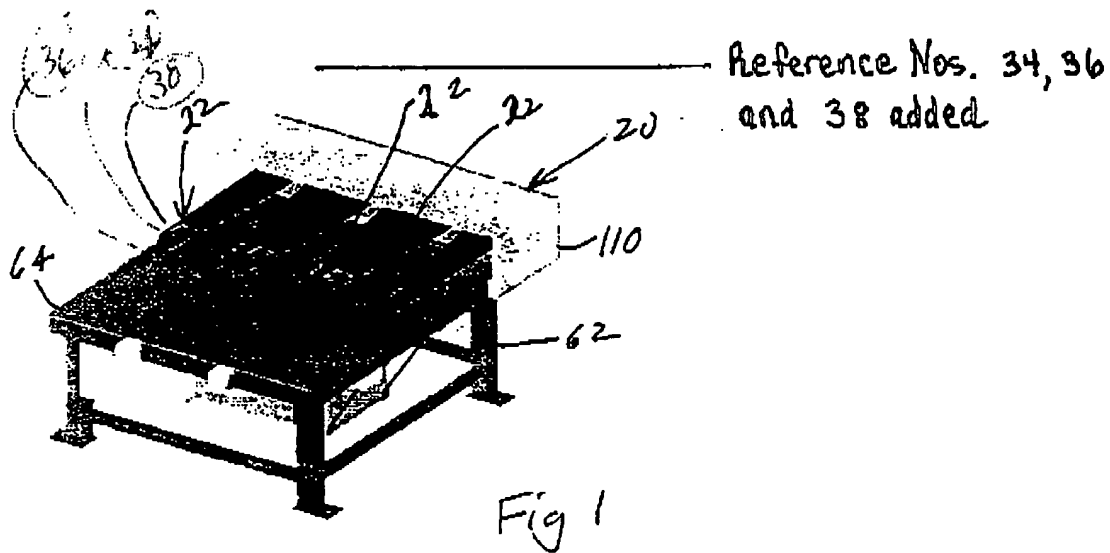
three pairs of arms, three pairs of shearing blades, each of said blades mounting at an end portion of one of said arms, three pairs of pivot pins, each of said pins pivotally mounting one of said arms, three actuators each positioned at another end portion of one of said pair of arms wherein said pivot pins are between the respective said shearing blades and one of said actuators, said pairs of arms having central portions between said shearing blades and said pivot pins, said central portions adapted to straddle a deck board support interface when the corresponding pair of shearing blades is positioned at another deck board support interface; and

a control system, said control system substantially simultaneously selectively actuating any or all of said actuators.

Claim 16 is distinguishable over Williams at least for the reason that it specifies a pair of arms having central portions between the hearing blades and pivot pins. The central portions are adapted to straddle a deck board support interface when the corresponding pair of shearing blades is positioned at another deck board support interface. It is submitted that the invention as defined

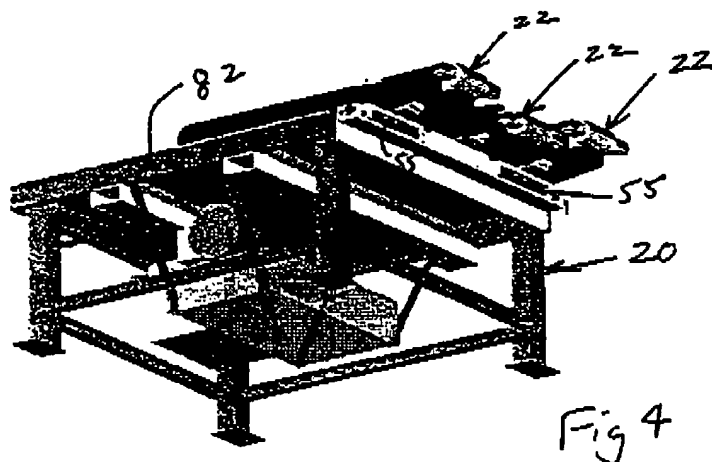
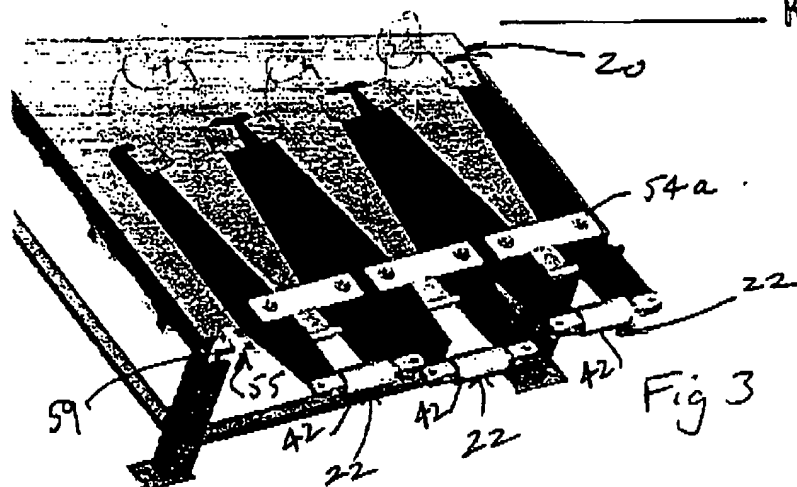
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Figures



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Reference No. 34 added



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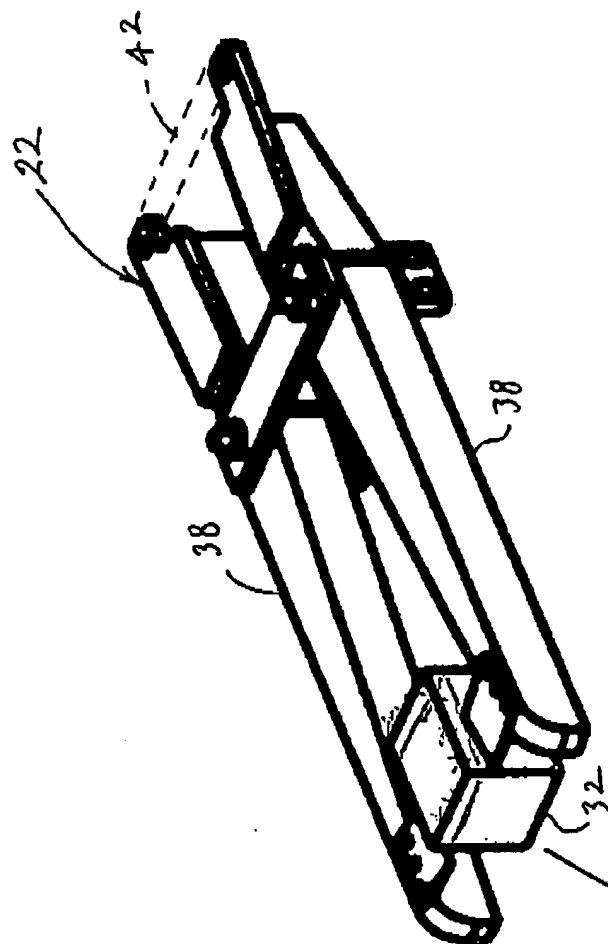
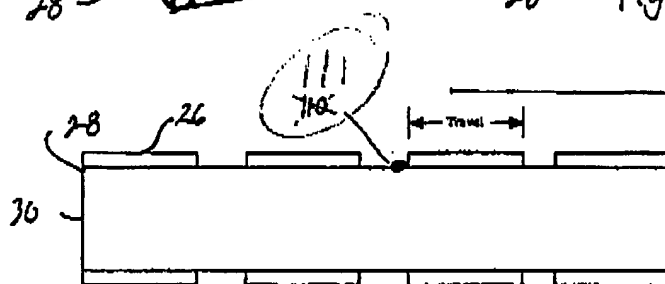
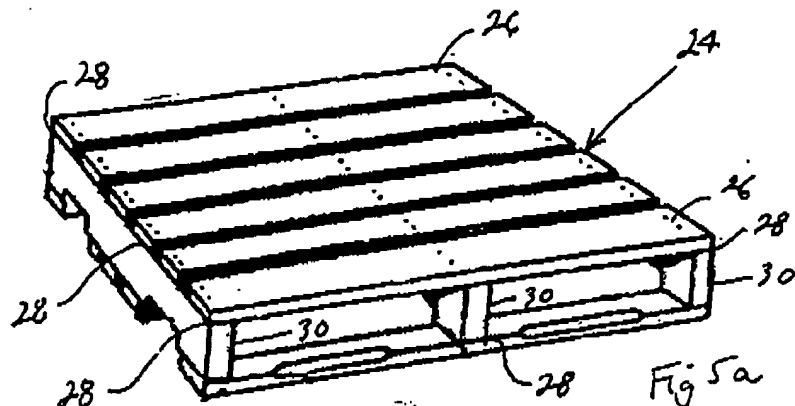


Fig 5

Position of blades 34
raised with respect
to block 32

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Reference No. 110
changed to 111

